

### REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-6 and 9 are pending in the application. Claims 1-2 and 4-6 are amended; Claims 7-8 are canceled without prejudice or disclaimer; and Claim 9 is newly added by the present amendment. Support for the new and amended claims can be found in the original specification, claims and drawings. No new matter is presented.

In the outstanding Office Action, Claims 1-8 were rejected under 35 U.S.C. § 102(e) as anticipated by Garrity et al. (U.S. Patent No. 6,230,205, hereinafter Garrity). In response to the above-noted rejection, Applicants respectfully submit that amended independent Claims 1, 5 and 6 and new independent Claim 9 recite novel features clearly not taught or rendered obvious by the applied reference.

Independent Claim 1 relates to a content distribution method for making a reservation via an open network to a reservation control apparatus for the use of a distribution server that receives content sent from a distributor terminal apparatus via a dedicated network and carries out stream distribution of the content to a client terminal apparatus via the open network. The method includes sending the content from the distributor terminal apparatus to the distribution server based on the reservation and thereby carrying out content distribution. More specifically, the method comprises, in part

a reservation requesting step of sending, by the distributor terminal apparatus, reservation request information ... from said distributor terminal apparatus to said reservation control apparatus ***via the open network***;

a content transmitting step of transmitting ... the content from said distributor terminal apparatus to said distribution server ***via the dedicated network*** to carry out a content distribution based on said accepted reservation....

Amended independent Claims 5 and 6, and new Claim 9, while directed to alternative embodiments, recite substantially similar features as those noted above. Accordingly, the remarks and arguments presented below are applicable to each of independent Claims 1, 5, 6 and 9.

As depicted in an exemplary embodiment at Fig. 1 of the specification, the distributor terminal apparatus (e.g., user PC 106) sets up a reservation to use the distribution server (e.g., streaming server 102) via an open network (internet 103). Then, when the distributor terminal apparatus wishes to transmit content to the distribution server for broadcast the data is transmitted through a dedicated network connection (e.g., dedicated server connection network 108). Such a configuration allows for the conservation of resources at the distribution server by coordinating access to the distribution server using the reservation control apparatus which accepts reservation requests via an open network connection which is separate from that which is used to send content data to the distribution server.

Turning to the applied reference, Garrity describes a method for managing the delivery of a data in a communication system. Specifically, Fig. 1 and col. 3, ll. 33-50 of Garrity describes that the plurality of content providers 102-106 transmit data, or content, to target users 108-134 via an operation center 136. As described at col. 3, l. 58 - col. 4, l. 13, in Garrity, the operation center 136 functions as a scheduler 210, video server 208 and gateway to send data from the content providers to the target users.

Garrity, however, fails to teach or suggest “sending, by the distributor terminal apparatus, reservation request information ... from said distributor terminal apparatus to said reservation control apparatus *via the open network*,” and “transmitting ... the content from said distributor terminal apparatus to said distribution server *via the dedicated network* to carry out a content distribution based on said accepted reservation” as recited in amended independent Claim 1.

For example, as depicted in Fig. 1 of Garrity, the only connection between the content providers 102-106 and the operation center 136 is a single network 138. Thus, any scheduling requests or content transmission between the content providers 102-106 in the operation center 136 must pass through the network 138. In other words, Garrity's system does not include an open network by which the content provider are able to schedule a content distribution with the operation system and a dedicated network connection by which to transmit the content from the content providers 102-106 to the operation center 136.

Therefore, Garrity fails to teach or suggest sending, by the distribution terminal apparatus, reservation request information from said distributor terminal apparatus to said reservation control apparatus *via the open network* and transmitting the content from said distributor terminal apparatus to said distribution server *via the dedicated network*, as recited in amended independent Claim 1.

Accordingly, Applicants respectfully request that the rejection of Claim 1 (and Claims 2-4 which depend therefrom) under 35 U.S.C. § 102(e) be withdrawn. For substantially similar reasons, it is also submitted that independent Claims 5, 8 and 9 also patentably define over Garrity.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-6 and 9 is definite and patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

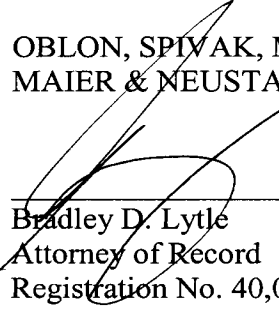
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)



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Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Andrew T. Harry  
Registration No. 56,959

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